

**BEFORE THE  
RESPIRATORY CARE BOARD OF CALIFORNIA  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

Case No. 1H 2011 277

HOLLY RAYMAN-HART  
1765 Santa Ana Avenue, Apt. A101  
Costa Mesa, CA 92627-3260

Respiratory Care Practitioner License No. 3397

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**DECISION AND ORDER**

The attached Stipulated Surrender of License and Order is hereby adopted by the Respiratory Care Board of California, Department of Consumer Affairs, as its Decision in the above entitled matter.

This Decision shall become effective on July 27, 2012.

It is so ORDERED July 17, 2012.

Original signed by:

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STEPHANIE NUNEZ  
EXECUTIVE OFFICER, RESPIRATORY CARE BOARD  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

1 KAMALA D. HARRIS  
Attorney General of California  
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9 **BEFORE THE**  
**RESPIRATORY CARE BOARD**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 1H-2011-277

12 **HOLLY RAYMAN-HART, R.C.P.**  
13 **1765 Santa Ana Avenue, Apt. A101**  
14 **Costa Mesa, CA 92627-3260**

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

15 **Respiratory Care Practitioner**  
**License No. 3397**

16 Respondent.

17  
18 **IT IS HEREBY STIPULATED AND AGREED** by and between the parties in this  
19 proceeding that the following matters are true:

20 **PARTIES**

21 1. Stephanie Nunez (Complainant) is the Executive Officer of the Respiratory  
22 Care Board of California. She brought this action solely in her official capacity and is  
23 represented in this matter by Kamala D. Harris, Attorney General of the State of California, by  
24 Samuel K. Hammond, Deputy Attorney General.

25 2. Holly-Rayman Hart (Respondent) is representing herself in this proceeding and  
26 has chosen not to exercise her right to be represented by counsel.

27 3. On or about May 31, 1985, the Respiratory Care Board of California issued  
28 Respiratory Care Practitioner License No. 3397 to Holly-Rayman Hart (Respondent). The

1 Respiratory Care Practitioner License was in full force and effect at all times relevant to the  
2 charges brought in Accusation No. 1H-2011-277 and will expire on June 30, 2012, unless  
3 renewed.

4 **JURISDICTION**

5 4. Accusation No. 1H-2011-277 was filed before the Respiratory Care Board  
6 (Board), Department of Consumer Affairs, and is currently pending against Respondent. The  
7 Accusation and all other statutorily required documents were properly served on Respondent on  
8 September 23, 2011 to her address of record which was 1588 San Bernardino Place, Costa Mesa,  
9 CA 92627. On or about September 29, 2011, the above-mentioned documents were returned to  
10 the Board by the U.S. Postal Service with a forwarding address. The Accusation and all other  
11 statutorily required documents were resent to Respondent at the forwarding address of 1765 Santa  
12 Ana Avenue, Apt. #A101, Costa Mesa, CA 92627 on October 13, 2011. Respondent timely filed  
13 her Notice of Defense contesting the Accusation. A true and correct copy of Accusation No. 1H-  
14 2011-277 is attached as Exhibit A and incorporated by reference.

15 **ADVISEMENT AND WAIVERS**

16 5. Respondent has carefully read, and understands the charges and allegations in  
17 Accusation No. 1H-2011-277. Respondent also has carefully read, and understands the effects of  
18 this Stipulated Surrender of License and Order.

19 6. Respondent is fully aware of her legal rights in this matter, including the right  
20 to a hearing on the charges and allegations in the Accusation; the right to be represented by  
21 counsel, at her own expense; the right to confront and cross-examine the witnesses against her;  
22 the right to present evidence and to testify on her own behalf; the right to the issuance of  
23 subpoenas to compel the attendance of witnesses and the production of documents; the right to  
24 reconsideration and court review of an adverse decision; and all other rights accorded by the  
25 California Administrative Procedure Act and other applicable laws.

26 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each  
27 and every right set forth above.

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1 **CULPABILITY**

2 8. Respondent admits the truth of each and every charge and allegation in  
3 Accusation No. 1H-2011-277, agrees that cause exists for discipline and hereby surrenders her  
4 Respiratory Care Practitioner License No. 3397 for the Board's formal acceptance.

5 9. Respondent understands that by signing this stipulation she enables the Board  
6 to issue an order accepting the surrender of her Respiratory Care Practitioner License without  
7 further process.

8 **CONTINGENCY**

9 10. This stipulation shall be subject to approval by the Respiratory Care Board.  
10 Respondent understands and agrees that counsel for Complainant and the staff of the Respiratory  
11 Care Board of California may communicate directly with the Board regarding this stipulation and  
12 surrender, without notice to or participation by Respondent. By signing the stipulation,  
13 Respondent understands and agrees that she may not withdraw her agreement or seek to rescind  
14 the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt  
15 this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall be  
16 of no force or effect, except for this paragraph, it shall be inadmissible in any legal action  
17 between the parties, and the Board shall not be disqualified from further action by having  
18 considered this matter.

19 11. The parties understand and agree that facsimile copies of this Stipulated  
20 Surrender of License and Order, including facsimile signatures thereto, shall have the same force  
21 and effect as the originals.

22 12. In consideration of the foregoing admissions and stipulations, the parties agree  
23 that the Board may, without further notice or formal proceeding, issue and enter the following  
24 Order:

25 **ORDER**

26 **IT IS HEREBY ORDERED** that Respiratory Care Practitioner License No. 3397,  
27 issued to Respondent Holly Rayman-Hart is surrendered and accepted by the Respiratory Care  
28 Board.

1           1.     The surrender of Respondent's Respiratory Care Practitioner License and the  
2 acceptance of the surrendered license by the Board shall constitute the imposition of discipline  
3 against Respondent. This stipulation constitutes a record of the discipline and shall become a part  
4 of Respondent's license history with the Respiratory Care Board of California.

5           2.     Respondent shall lose all rights and privileges as a Respiratory Care Practitioner in  
6 California as of the effective date of the Board's Decision and Order.

7           3.     Respondent shall cause to be delivered to the Board her pocket license and, if one was  
8 issued, her wall certificate on or before the effective date of the Decision and Order.

9           4.     If Respondent ever files an application for licensure or a petition for reinstatement in  
10 the State of California, the Board shall treat it as a petition for reinstatement. Respondent must  
11 comply with all the laws, regulations and procedures for reinstatement of a revoked license in  
12 effect at the time the petition is filed, and all of the charges and allegations contained in  
13 Accusation No. 1H-2011-277 shall be deemed to be true, correct and admitted by Respondent  
14 when the Board determines whether to grant or deny the petition.

15          5.     If Respondent ever files an application for licensure or a petition for reinstatement in  
16 California, Respondent shall pay the Board its costs of investigation and enforcement in the  
17 amount of \$2,895.00 prior to issuance of a new or reinstated license.

18          6.     If Respondent should ever apply or reapply for a new license or certification, or  
19 petition for reinstatement of a license, by any other health care licensing agency in the State of  
20 California, all of the charges and allegations contained in Accusation, No. 1H-2011-277 shall be  
21 deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of  
22 Issues or any other proceeding seeking to deny or restrict licensure.

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**ACCEPTANCE**

I have carefully read the Stipulated Surrender of License and Order. I understand the stipulation and the effect it will have on my Respiratory Care Practitioner License. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Respiratory Care Board.

DATED: June 25, 2012

Original signed by:

HOLLY RAYMAN-HART, R.C.P.  
Respondent

**ENDORSEMENT**

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Respiratory Care Board of the Department of Consumer Affairs.

Dated: June, 29, 2012

Respectfully submitted,

KAMALA D. HARRIS  
Attorney General of California  
THOMAS S. LAZAR  
Supervising Deputy Attorney General

Original signed by: \_\_\_\_\_.

SAMUEL K. HAMMOND  
Deputy Attorney General  
*Attorneys for Complainant*

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